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**From:** Davies, Lynne [Davies.Lynne@epa.gov]  
**Sent:** 10/16/2020 4:41:03 PM  
**To:** Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]; Saenz, Diana [Saenz.Diana@epa.gov]; Carroll, Thomas [Carroll.Thomas@epa.gov]  
**Subject:** FW: EPA Administrator and Regional Administrator Visit to Mosaic -- EPA new policy

Hi all – Van was our point of contact. He is copied on Larry's email, but I will encourage him to respond to this group.

Thanks!  
Lynne

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**From:** Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Sent:** Friday, October 16, 2020 12:39 PM  
**To:** Palmer, Leif <Palmer.Leif@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>  
**Cc:** Koslow, Karin <Koslow.Karin@epa.gov>; Carroll, Thomas <Carroll.Thomas@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Saenz, Diana <Saenz.Diana@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Housman, Van <Housman.Van@epa.gov>; Kowalski, Edward <Kowalski.Edward@epa.gov>  
**Subject:** RE: EPA Administrator and Regional Administrator Visit to Mosaic -- EPA new policy

It sounds like a case-by-case analysis approval is contemplated for the use of phosphogypsum in road construction projects, per this excerpt from the OAR website on Phosphogypsum Stacks (<https://www.epa.gov/radiation/subpart-r-national-emission-standards-radon-emissions-phosphogypsum-stacks>):

EPA will release a Federal Register Notice “Approval of the Request for Other Use of Phosphogypsum by The Fertilizer Institute”, publicizing the approval of the use of phosphogypsum in government road construction projects.

The pre-publication text of the upcoming Federal Register Notice is below, and will be replaced with a link to the official notice upon its publication in the Federal Register.

[View the pre-publication text of the Federal Register Notice authorizing other use of phosphogypsum.](#)

[View the approval letter and supporting documents.](#)

Rosemarie/Diana: Had anyone from OECA been involved in the review of this issue? I assume that some of the risk findings may be relevant to our mineral processing cases – is that right?

Larry

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**From:** Palmer, Leif <Palmer.Leif@epa.gov>  
**Sent:** Friday, October 16, 2020 11:42 AM  
**To:** Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>  
**Cc:** Koslow, Karin <Koslow.Karin@epa.gov>; Carroll, Thomas <Carroll.Thomas@epa.gov>; Rubini, Suzanne

<Rubini.Suzanne@epa.gov>; Hansen, Susan <Hansen.Susan@epa.gov>

**Subject:** FW: EPA Administrator and Regional Administrator Visit to Mosaic -- EPA new policy

Hi all – the Administrator is going to visit one of the Mosaic facilities in Florida. Counsel for Mosaic will NOT be participating in the visit. It's apparently a press/public event to announce EPA's new policy on using phosphogypsum for road projects:

**WASHINGTON (October 14, 2020)** — Today, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler approved a request from The Fertilizer Institute (TFI) to allow phosphogypsum to be used in government road construction projects. "Allowing the reuse of phosphogypsum shows EPA's commitment to working with industry in a way that both reduces environmental waste and protects public health," **said EPA Administrator Andrew Wheeler**. "The approval of this request means that phosphogypsum, which already requires significant engineering and regulatory controls to be disposed of in stacks, can now be put to productive use rebuilding our nation's infrastructure. This demonstrates President Trump's commitment to "win-win" environmental solutions."

<https://www.epa.gov/newsreleases/epa-approves-use-phosphogypsum-road-construction>

<https://thehill.com/policy/energy-environment/521307-epa-allows-use-of-radioactive-material-in-some-road-construction>

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**From:** Redleaf-Durbin, Joan <Redleaf-Durbin.Joan@epa.gov>

**Sent:** Friday, October 16, 2020 8:24 AM

**To:** Annicella, Alan <Annicella.Alan@epa.gov>; Lamberth, Larry <Lamberth.Larry@epa.gov>

**Cc:** Hansen, Susan <Hansen.Susan@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>

**Subject:** Fwd: EPA Administrator and Regional Administrator Visit

Just so everyone knows

Thx

Joan

Begin forwarded message:

**From:** "van der Voorn, Patrick" <Patrick.vanderVoorn@mosaicco.com>

**Date:** October 16, 2020 at 7:04:06 AM EDT

**To:** "Redleaf-Durbin, Joan" <Redleaf-Durbin.Joan@epa.gov>, "Przyborski, Jay"

<Przyborski.Jay@epa.gov>, "Moncrieffe, Marcia" <Moncrieffe.Marcia@epa.gov>

**Cc:** "Reyher, Deborah (ENRD)" <Deborah.Reyher@usdoj.gov>

**Subject:** EPA Administrator and Regional Administrator Visit

Joan, Jay and Marcia -

As a courtesy, I'm writing to let you know that along with some of their staff, Administrator Wheeler and Region 4 RA Walker are expected to tour some of Mosaic's operations in central Florida on October 21. Counsel for Mosaic will not be in attendance.

Thanks

Pat

Patrick van der Voorn | Chief Environmental Counsel  
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